

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2113 of 2017

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Rajeev Kumar

.... Petitioner/s

Versus

The State of Bihar Through Principal Secretary, Excise, Bihar, Patna &
Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Respondent/s : Mr. Anil Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3. 09-03-2018

Learned counsel for the petitioner seeks permission to allow him to covert this writ application in a civil writ proceeding as according to him the petitioner wants to assail the order dated 11.07.2017 passed in Confiscation (Excise) Case No. 6 of 2017-18 arising out of Sour Bazar P.S. Case No. 220 of 2017, District – Saharsa, on the ground that the District Magistrate being an executive cannot have power to pass an order of confiscation and for that purpose he would also challenge the *vires* of the provisions of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the State is present and in the nature of prayer made by learned counsel for the petitioner he will have no objection. The petitioner is permitted to convert this writ proceeding in a civil writ.



Office shall report on the requirement for that purpose.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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